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09/345,669	06/30/1999	RONALD K. MINEMIER	INTL-0227-US	1490

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TIMOTHY N TROP  
TROP PRUNER HU & MILES  
8554 KATY FREEWAY STE 100  
HOUSTON, TX 77024

EXAMINER

WISDAHL, ERIC D

ART UNIT

PAPER NUMBER

2615

DATE MAILED: 09/02/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Signature

## Office Action Summary

Application No.

09/345,669

Applicant(s)

MINEMIER, RONALD K.

Examiner

Eric D Wisdahl

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the external tester to implement the read sequencing of the memory must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 5 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It is believed that applicant had intended the claim to read: indicating a defect when a pixel's intensity value is higher than said high limit or lower than said low limit. Such is

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believed to be the case in that the specification mentions using the pixel addresses in determining the value of the image sensor only when comparing previously found defective pixels against a predetermined offset, or distance, away from the next closest defective pixel. Furthermore, the specification mentions comparing a pixel's intensity value against a programmable high and low value for determining a pixel defect.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 6, 12, 15 – 17, 21 – 23, 27 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Kameyama et al. (U.S. Patent 5, 416, 516).

Regarding Claim 1, Kameyama disclose the method of detecting defective elements comprising the steps of:

- Reading out a frame of sensing element data from an array (Column 4 lines 64 – 66);
- Determining the number of defective elements by analyzing said data during the frame read out (Column 2 lines 3 – 16, Column 6 lines 4 – 25, Column 7 lines 7 –

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16, Column 10 line 60 – Column 11 line 20, Column 20 lines 37 – 58, Column 21 lines 53 – 57).

Regarding Claim 2, Kameyama discloses:

- Imaging array (Figure 3 item 2);
- Programmably setting high and low limits for said pixel intensity values (Column 6 lines 4 - 10).

Regarding Claim 3, Kameyama discloses:

- Programmably setting the high and low limits based on illumination conditions (Figure 5, Column 7 lines 7 – 16).

Regarding Claim 4, Kameyama discloses:

- Comparing the pixel intensity values measured by said array to the high and low limits (Column 10 line 60 – Column 11 line 20).

Regarding Claim 5, Kameyama discloses:

- Indicating a defect when a pixel's address (READ: Pixel's intensity value) is higher than said high limit or lower than said low limit (Column 2 lines 3 – 16, Column 6 lines 4 – 25, Column 7 lines 7 – 16, Column 10 line 60 – Column 11 line 20, Column 20 lines 37 – 58, Column 21 lines 53 – 57).

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Regarding Claim 6, Kameyama discloses:

- Imaging array (Figure 3 item 2);
- Identifying in the focal plane of the pixel array which pixel's are defective (Column 2 lines 3 – 16, Column 6 lines 4 – 25, Column 7 lines 7 – 16, Column 10 line 60 – Column 11 line 20, Column 20 lines 37 – 58, Column 21 lines 53 – 57, it is noted that all pixels are located on the focal plane).

Regarding Claim 12, Kameyama discloses:

- Storing information about the location of the defective elements in a memory in said array (Column 6 lines 4 – 25).

Regarding Claim 15, Kameyama discloses the medium that stores instructions that cause a processor-based system to:

- Programmably set **high and low limits** for pixel intensity values (Column 6 lines 4 - 10);
- **Determine** during a read out of pixel intensity values from the array, **the number of defective pixels** from said imaging array in view of said high and low limits for pixel intensity values (Column 2 lines 3 – 16, Column 6 lines 4 – 25, Column 7 lines 7 – 16, Column 10 line 60 – Column 11 line 20, Column 20 lines 37 – 58, Column 21 lines 53 – 57).

Regarding Claim 16, Kameyama discloses:

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- Programmably set high and low limits based on illumination conditions (Figure 5, Column 7 lines 7 – 16).

Regarding Claim 17, Kameyama discloses:

- Comparing the pixel intensity values to the high and low limits (Column 10 line 60 – Column 11 line 20).

Regarding Claim 21, Kameyama discloses:

- Storing information in a memory about the location of a defective pixel (Column 6 lines 4 – 25).

Regarding Claim 22, Kameyama discloses:

- A plurality of sensing elements (Figure 3 item 2);
- Circuit adapted to determine the number of defective elements by analyzing the element data as it is read out from said elements (Column 2 lines 3 – 16, Column 6 lines 4 – 25, Column 7 lines 7 – 16, Column 10 line 60 – Column 11 line 20, Column 20 lines 37 – 58, Column 21 lines 53 – 57).

Regarding Claim 23, Kameyama discloses:

- Device is an imaging device (Figure 3 item 2);
- Elements are pixels (Figures 1a, 1b, 2a, 2b);

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- Storage adapted to enable high and low limits for pixel intensity values to be set programmably (Figure 5, Column 7 lines 7 – 16, Column 10 line 60 – Column 11 line 20, Figure 26 items 117 and 118).

Regarding Claim 27, Kameyama discloses:

- Memory adapted to store information about the location of defective elements (Column 6 lines 4 – 25).

Regarding Claim 28, Kameyama discloses:

- Memory includes a location corresponding to each of a plurality of elements (Column 6 lines 4 – 25, Column 11 lines 30 – 44);

Claims 1, 7 – 11, 22 and 24 – 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Vincent (U.S. Patent 5, 436, 659).

Regarding Claim 1, Vincent disclose the method of detecting defective elements comprising the steps of:

- Reading out a frame of sensing element data from an array (inherent);
- Determining the number of defective elements by analyzing said data during the frame read out (Column 8 line 24 – Column 12 line 24).

Regarding Claim 7, Vincent discloses:

- Imaging array (Figure 1 item 16);



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- Data is pixel data (Column 2 lines 54 – 56);
- Determining the number of spatial defects by analyzing said pixel data (Column 11 line 61 – Column 12 line 24).

Regarding Claim 8, Vincent discloses:

- Determining whether two defective pixels are closer together than a programmable offset (Column 9 lines 26 – 31).

Regarding Claim 9, Vincent discloses:

- Adding a column or row address where a defective exists to a programmable offset and storing said address with said offset (Column 8 line 24 – Column 11 line 9).

Regarding Claim 10, Vincent discloses:

- Comparing the address of a defective pixel to a stored address plus a programmable offset (Column 8 lines 42 – 58).

Regarding Claim 11, Vincent discloses:

- Identifying the number of spatial defects by column and row by analyzing said data (Column 10 line 56 – Column 11 line 2).

Regarding Claim 22, Vincent discloses:

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- A plurality of sensing elements (Figure 1 item 16);
- Circuit adapted to determine the number of defective elements by analyzing the element data as it is read out from said elements (Column 8 line 24 – Column 12 line 24).

Regarding Claim 24, Vincent discloses:

- Determining the number of spatial defects by analyzing said pixel data (Column 11 line 61 – Column 12 line 24).

Regarding Claim 25, Vincent discloses:

- Window circuit adapted to add a column or row address where a defective exists to a programmable offset and storing said address with said offset (Column 8 lines 42 – 58).

Regarding Claim 26, see examiners comments for Claim 10.

Claims 22, 29 and 30 rejected under 35 U.S.C. 102(e) as being anticipated by Heller et al. (U.S. Patent 6, 293, 465 B1).

Regarding Claim 22, Heller discloses:

- A plurality of sensing elements (Figure 2 item 12);

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- Circuit adapted to determine the number of defective elements by analyzing the element data as it is read out from said elements (Column 7 line 58 – Column 8 line 41).

Regarding Claim 29, Heller discloses:

- Circuit and elements are formed on the same die (Column 3 line 54 – Column 4 line 9, Column 8 lines 17 – 20, it is noted that this is formed on a single chip).

Regarding Claim 30, Heller discloses:

- Imaging device (Figure 2 item 12);
- Pixels (Figure 2 item 12);
- Circuit being formed on the imaging device's focal plane that includes said pixels (Figure 2, single chip unit wherein the pixel array is formed on the focal plane and the control circuit is formed next to the array).

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kameyama et al. (U.S. Patent 5, 416, 516).

Regarding Claims 13, Kameyama fails to specifically discloses:

- Each element in the array has a corresponding location in the memory and setting a defect exists bit at each memory location where a defective element has been identified;

**OFFICIAL NOTICE:**

It is well known to include a location in memory for every pixel and to indicate that the pixel is defective with setting of a bit. Such an arrangement would have been advantageous in providing a system in which a known memory size is used for each image sensor and the system used would benefit from an increase in speed in that the system would only have to process a single bit to know if there is a defect at the location of interest.

Therefore, it would have been obvious to one of ordinary skill in the art to include the location in memory for every pixel and to indicate that the pixel is defective with setting of a bit and to use an external tester to implement the read sequencing of the memory speed up the system by having the processor process a single bit to know if there is a defect at the location of interest.

Claims 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kameyama et al. (U.S. Patent 5, 416, 516) in view of O'Donoghue (U.S. Patent 5, 497, 381).

Regarding Claims 14, Kameyama discloses:

- Maintaining a record of defective pixel locations (Column 6 lines 4 – 25);

Kameyama fails to specifically discloses:

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- Using an external tester to implement the read sequencing of the memory.

O'Donoghue teaches:

- Using an external tester to read out a record of defective locations to determine a quality of the device (Column 2 lines 46 – 47, Column 3 lines 2 – 12, 26 – 39, Column 4 lines 22 – 27, 62 – 65, Column 6 lines 27 – 31, Figure 7 item 68);

Such an arrangement of using an external tester to implement the read sequencing of the memory would be useful in providing a single tester which can be relied upon to detect a quality of the sensor throughout a number of cameras being tested during the manufacturing process.

Therefore, it would have been obvious to one of ordinary skill in the art to include the external tester to implement the read sequencing of the memory so as to provide a reliable testing for the quality of the image sensor during manufacture testing process.

Claims 15 and 18 - 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vincent (U.S. Patent 5, 436, 659) in view of Kameyama et al. (U.S. Patent 5, 416, 516).

Regarding Claim 15, Vincent discloses the medium that stores instructions that cause a processor-based system to:

- Provide the system for testability, including counting, wherein the system is provided for improving a method of dealing with defective pixels (Column 8 line 24 – Column 12 line 24).

Vincent does not specifically disclose the method of determining which pixels are defective, specifically:

- Programmably set **high and low limits** for pixel intensity values;

- **Determine** during a read out of pixel intensity values from the array, **the number of defective pixels** from said imaging array in view of said high and low limits for pixel intensity values.

Kameyama teaches:

- Programmably **set high and low limits** for pixel intensity values (Column 6 lines 4 - 10);
- **Determine** during a read out of pixel intensity values from the array, **the number of defective pixels** from said imaging array in view of said high and low limits for pixel intensity values (Column 2 lines 3 - 16, Column 6 lines 4 - 25, Column 7 lines 7 - 16, Column 10 line 60 - Column 11 line 20, Column 20 lines 37 - 58, Column 21 lines 53 - 57).

Such a method is a well known in the art for determining a defective pixel and would be useful in obtaining information as to which pixels are flawed.

Therefore, it would have been obvious to one of ordinary skill in the art to include the medium that stores instructions that cause a processor based system to programmably set high and low limits for pixel intensity values and **Determine** during a read out of pixel intensity values from the array, **the number of defective pixels** from said imaging array in view of said high and low limits for pixel intensity values so as to determine which pixels are defective.

Regarding Claim 18, Vincent discloses:

- Determining the number of spatial defects by analyzing said pixel data (Column 11 line 61 - Column 12 line 24).

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Regarding Claim 19, Vincent discloses:

- Determining whether two defective pixels are closer together than a programmable offset (Column 9 lines 26 – 31).

Regarding Claim 20, Vincent discloses:

- Identifying the number of spatial defects by column and row by analyzing said data (Column 10 line 56 – Column 11 line 2).

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Perino U.S. Patent 6, 593, 961.

Younse et al. U.S. Patent 4, 805, 023.

Kulkarni et al. U.S. Patent 5, 991, 699.

Prakash et al. U.S. Patent 5, 963, 654.

Oda U.S. Patent 6, 340, 989.

Janni et al. U.S. Patent 5, 185, 883.

Read U.S. Patent 6, 035, 072.

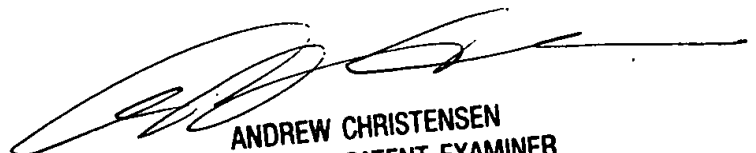
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric D Wisdahl whose telephone number is (703) 305-4915. The examiner can normally be reached on 9:00 - 6:00 Mon-Thur every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology center 2600 customer service office which can be reached at telephone number (703) 306-0377.

August 20, 2003  
edw



ANDREW CHRISTENSEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600